

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)
Plaintiff,)
)
)
)
v.) Case No.: 2:19-cr-00013
)
GEORGIANNA A.M. GIAMPIETRO) Chief Judge Waverly D. Crenshaw, Jr.
Defendant.)

**DEFENDANT'S MOTION FOR EXTENSION OF TIME TO FILE MOTIONS IN
LIMINE CONCERNING GOVERNMENT WITNESSES**

COMES NOW defendant, Georgianna Giampietro, by and through her undersigned counsel of record, and brings this Motion to allow for an Extension of Time (to August 25, 2021) to file additional Motions in Limine (“MIL”) concerning government witnesses. In support thereof, the defense states as following:

On August 4, 2021, the government filed a Motion for Leave to File their Preliminary Witness List ex parte and under seal (DE 207). The government then filed their Witness List ex parte and under seal (DE 208). Counsel for the defense objected to this motion on the same day (DE 210). On August 17, 2021, this Court ruled on the government’s Motion to file ex parte and under seal, denying the government’s motion, and directing that the government’s Preliminary Witness List be then filed on the public record (DE 222). Later that afternoon, counsel was able to download a copy of this Preliminary Witness List from the public record (Pacer).

In its April 16, 2021 Order, this Court ordered that the parties file all MILs by close of business on August 18, 2021 (DE 173). Defense was only made aware of the names of the witnesses and summaries the government intended to call, on August 17, a day before the MILs

were due. Nonetheless, Defense did submit three MILs regarding witnesses on the government's Witness List on August 18, 2021. There are several more witnesses defense would like to challenge in its MILs to this Court, but due to the one-day notice of the names of the witnesses, defense was unable to address all of the witnesses and issues desired in time for the 5:00 p.m. deadline, yesterday, August 18, 2021.

Defense requests until August 25, 2021, to file any additional MILs as they may pertain to witnesses listed on the government's Witness List, specifically:

- Craig, Kelsey
- Ese, Maram
- Lefler, Vanessa A.
- Morris, Stephen D.
- Neely, Kari Sue
- Phillips, Jacelynn

The defense respectfully submits that this request is in the interest of justice. Permitting MILs for these witnesses will permit this Court to resolve the issues prior to trial and expedite trial proceedings. The August 25, 2021, date is a week out from the September 1-2, 2021, Pre-Trial Conference before this Court. If government counsel is given a response date of August 31, 2021, this will provide the government four working days to respond to these additional MILs, just prior to the Pre-Trial Conference hearing on September 1, 2021.

Counsel has conferred with the government on this Motion, and the government does not oppose this motion, provided it is limited to the witnesses noted above.¹

¹ Counsel also intends to file an objection to a portion of Dr. Mia Bloom's testimony, as set out in her Expert Report, filed with this Court on August 18, 2021, as impermissible profile evidence. The government's agreement not to oppose this Motion for an Extension of Time to File MILs does not extend to defense's objection to Dr. Bloom's profile testimony.

Defense requests that this Court grant an Extension of Time to File Additional Motions in Limine to August 25, 2021.

Respectfully submitted this 19th Day of August, 2021,

By: /s/ Charles Swift
Charles D. Swift,
Pro Hac Attorney for Giampietro
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of August, 2021, I electronically filed the foregoing Motion for Extension of Time with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

By: /s/ Charles Swift
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Attorney for Giampietro
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